

State attorney's supervision in preliminary criminal proceedings

Abstract

The diploma thesis relates to State attorney's rights and duties in criminal proceedings. Since the topic of a State Attorney's role in criminal proceedings is broad and the extent of that would exceed the limits of this work, the author have chosen to center the work around supervision of a state attorney as a major part of criminal proceedings that ensures the legality of the criminal process.

The work has been split into 6 chapters. In introduction author briefly explains, why he chose the topic, and why he does think this theme is something, that should be worked upon in greater detail. First chapters are concerned with state attorney's office and the scope of its authority that is given to it by the constitution and the statutes. The preliminary criminal proceedings is introduced as a phase of criminal process with its functions and meaning that should is leading to specific decisions.

Third chapter is the beginning of the core of this diploma thesis and is dedicated to theoretical description of supervision and its forms. One that can be done strictly by certain state attorney in specific criminal proceeding and the second that is done within the hierarchy of state attorney's offices. Next chapters are about the applications of the authority of a state attorney used for supervision. Divided whether its for phase of criminal process before the subject is pressed with charges or after that.

In the last part of the thesis author is analyzing criminal cases, on which he shows the extent of the supervision that has been done by state attorney. Based on that and the issues found in the legislation author formed his opinions on areas in which the supervision or the state attorney's are lacking. Constructive critique was followed by suggestion on what could be improved in a sense of *de lege ferenda*.

Key words:

Supervision, state attorney, preliminary criminal proceedings